

\*E-FILED - 6/3/09\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES WILSON CALLOWAY, )  
Plaintiff, )  
v. )  
CALIFORNIA DEPARTMENT OF )  
CORRECTIONS AND )  
REHABILITATION, et al., )  
Defendants. )  
)  
No. C 07-2335 RMW (PR)  
ORDER GRANTING  
EXTENSION OF TIME TO  
FILE AMENDED  
COMPLAINT AND  
DENYING REQUEST FOR  
INVESTIGATION  
(Docket No. 61)

Plaintiff, a state prisoner proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. On April 15, 2009, the court re-screened and dismissed plaintiff's complaint pursuant to 28 U.S.C. § 1915A. The court provided plaintiff 30 days to file an amended complaint to cure the deficiencies described in the court's order. On April 29, 2009, plaintiff filed a request for additional 45 days to amend his complaint. Plaintiff claims that he received mail enclosing the court's order a week later than he was supposed to receive it. Good cause appearing, plaintiff is hereby granted an extension of time in which to file an amended complaint. Plaintiff's amended complaint is due on or before **June 15, 2009**. No further extensions of time will be granted absent a showing of extraordinary circumstances.

Plaintiff also asks the court to launch an investigation with respect to plaintiff's confidential mail being opened in violation of his constitutional rights. Plaintiff's request

1 for an investigation is DENIED. If plaintiff believes his constitutional rights with respect  
2 to his mail are being violated, he can bring his allegations or claims in a separate action.  
3 The instant action is limited to plaintiff's claim of deliberate indifference to serious  
4 medical needs.

5 This order terminates docket number 61.

6 IT IS SO ORDERED.

7 DATED: 5/29/09

  
RONALD M. WHYTE  
United States District Judge